

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

JESSIE JAMES WATKINS,

Petitioner,

v.

PHYLLIS MORGAN, et al.,

Respondents.

Case No.: 5:24-cv-00394-MHH-JHE

MEMORANDUM OPINION


On January 28, 2025, the magistrate judge entered a report in which he recommended that the Court dismiss Mr. Watkins's petition for writ of habeas corpus. (Doc. 12). The magistrate judge advised Mr. Watkins of his right to file objections. (Doc. 12, pp. 7-8). To date, the Court has not received objections.

Having reviewed the electronic docket in this case, the Court adopts the report and accepts the magistrate judge's recommendation. By separate order, the Court will dismiss this matter as untimely.

A district court may issue a certificate of appealability "only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. 2253(c)(2). To make such a showing, a "petitioner must demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong," *Slack v. McDaniel*, 529 U.S. 473, 484 (2000), or that "the issues presented were adequate to deserve encouragement to proceed further."

Miller-El v. Cockrell, 537 U.S. 322, 336 (2003) (internal quotations omitted). The Court declines to issue a certificate of appealability because Mr. Watkins's case does not satisfy either standard. Pursuant to Rule 22(b)(1) of the Federal Rules of Appellate Procedure, Mr. Watkins may request a certificate of appealability from the Eleventh Circuit Court of Appeals. Fed. R. App. P. 22(b); 11th Cir. R. 22-1.

DONE and **ORDERED** this February 20, 2025.



MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE